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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI**

U. S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS

Stanley Babbitt

(Enter above the full name of  
the Plaintiff[s] in this  
action. Include register or  
identification number[s].)

- vs -

St. Louis Metropolitan Police

Det. William Poats, 2949,

Officer Shell Sharp, 3183

Officer Sanford Willis, 5588

Det. Archie Shaw, 3982

(Enter above the full name of  
ALL Defendant[s] in this  
action. Fed. R. Civ. P. 10(a)  
requires that the caption of  
the complaint include the  
names of all the parties.  
Merely listing one party and  
"et al." is insufficient.  
Please attach additional sheets  
if necessary.)

Case No. \_\_\_\_\_

Summary Trial Demanded

**COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983**

**I. PLACE OF PRESENT CONFINEMENT OF PLAINTIFF(S):**

St. Louis City Justice Department

**II. PREVIOUS CIVIL ACTIONS:**

- A. Have you begun other civil actions in state or federal  
court dealing with the same facts involved in this  
action, or otherwise relating to your confinement?

YES [ ]

NO [ ☒ ]

ST. LOUIS POLICE BOARD OF COMMISSIONERS,  
OTHER UNKNOWN POLICE OFFICERS - CITY OFFICIALS,  
DEFENDANTS)

- B. If your answer to "A" is YES, describe the action in the space below. (If there is more than one civil action, you must describe the additional lawsuit[s] on another piece of paper, using the same format as is outlined below.) Your failure to comply with this provision will result in summary denial of your complaint.

1. Parties to previous civil action(s):

Plaintiff(s): \_\_\_\_\_

Defendant(s): \_\_\_\_\_

2. Court wherein filed:

3. Docket number or Case number:

4. Name of Judge to whom case was assigned:

5. Basic claim made:

6. Present disposition (Was the case dismissed? Was it appealed? Is it still pending?):

7. Date filed: \_\_\_\_\_ 8. Date of disposition: \_\_\_\_\_

III. GRIEVANCE PROCEDURES:

- A. Is there a prisoner grievance procedure at the institution wherein you are incarcerated?

YES [ ]

NO [ ☒ ]

B. Have you presented through this grievance system the facts which are at issue in this complaint?

YES [ ]

NO [✓]

C. If your answer to "B" is YES, indicate:

1. What steps did you take?

\_\_\_\_\_  
\_\_\_\_\_

D. If your answer to "B" is NO, explain why you have not used the institutional grievance system:

\_\_\_\_\_  
\_\_\_\_\_

E. If there is no prisoner grievance procedure at the institution wherein you are incarcerated, have you complained to prison authorities?

YES [✓]

NO [ ]

F. If your answer to "E" is YES, indicate:

1. What steps did you take?

HAVE ATTEMPTED TO GET POLICE  
INTERNAL AFFAIRS TO INVESTIGATE ; and

2. What was the result?

THEY HAVE NEVER EVEN  
ACKNOWLEDGE MY REQUESTS.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IV. PARTIES TO THIS CIVIL ACTION:

In item A, below place your name in the first blank, place your present address in the second blank and place your identification number or register number in the third blank. Do the same for any additional plaintiff(s) under Item C, below:

- A. Name of Plaintiff: Stanley Babbitt  
Plaintiff's address: 200 S. Tucker Blvd. STL. MO 63102  
Identification number: #27921

In item B, below, place the full name of the defendant in the first blank, his official position in the second, and his place of employment and address in the third blank. Use Item C for the names, the official positions, and the places of employment and addresses of any additional defendant(s).

- B. Defendant ST. Louis Metropolitan Police is employed  
as Police Department at 1200 Clark  
St. Louis, Mo 63102  
C. Additional plaintiff(s) and address(es):

N/A

Additional defendant(s) and address(es):

Peats, SHARP, Willis, Shaw, Police Board of  
Commissioners, And Unknowns, CAN BE  
SERVED AT St. Louis Metropolitan Police H.Q.  
located at 1200 Clark St. St. Louis MO 63103  
to the best of Plaintiff's knowledge

V. COUNSEL:

- A. Do you have an attorney to represent you in the present civil action?

YES [ ]

NO [✓]

- B. If your answer to "A" is NO, have you made any effort to contact a private attorney to represent you in this matter?

YES [ ]

NO [✓]

- C. If your answer to "B" is YES, state the name(s) and the address(es) of the attorney(s) you have contacted and explain the results of those efforts:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- D. If your answer to "B" was NO, explain why you have not made such efforts:

Do Not Have Funds to Retain  
Private Counsel

- E. Have you previously been represented by counsel in a civil action in this Court?

YES [ ]

NO [✓]

- F. If your answer to "E" is YES, state that attorney's name and address:

\_\_\_\_\_  
\_\_\_\_\_

VI. STATEMENT OF CLAIM:

State here, as briefly as is possible, that facts of your claim. Describe how each defendant is involved. Include also the names of other persons involved, and dates and places. Do not make any legal arguments; cite no cases or statutes. If you intend to raise two or more related claims, number and set forth each claim in a separate

paragraph. Avoid using more space than is provided. The Court strongly disapproves of the stating of claims outside the provided space. Unrelated claims must be made in a separate complaint.

VI. STATEMENT OF CLAIM (continued)

9/24/2006 @ 2:30 A.M. (APPROXIMATE) DET. POATS  
SHOT PLAINTIFF IN THE BACK ALLEGING PLAINTIFF HAD  
THREATENED HIS LIFE. DET. POATS, DET. SHAW, OFFICER  
SHARP, OFFICER WILLIS THEN CONSPIRED WITH EACH  
OTHER ALONG WITH OTHERS TO COVER UP THE SHOOTING  
BY DET. POATS WHEN THEY KNEW PLAINTIFF HAD BEEN  
SHOT IN THE BACK AND COULD NOT HAVE THREATENED  
THE DETECTIVE. POLICE BOARD OF COMMISSIONER'S  
AND CITY OFFICIALS, ALONG WITH THE OTHER  
DEFENDANTS HAVE ENGAGED IN A ONGOING AND  
CONTINUING POLICY, PRACTICE, AND PROCEDURES, TO VIOLATE  
THE RIGHTS OF OTHERS, TO PROPERLY TRAIN POLICE AND  
TO TAKE CORRECTIVE ACTIONS TO STOP CONSTITUTIONAL  
VIOLATIONS. DEFENDANTS ARE BEING SUED IN BOTH  
THEIR OFFICIAL AND INDIVIDUAL CAPACITY.



VII. RELIEF:

State briefly and exactly what you want the Court to do for you. Make no legal arguments; cite no cases or statutes. (Note: If you are a state prisoner and seek from this Court relief which affects the length or duration of your imprisonment e.g., restoration of good time forfeited, expungement of records, parole release decisions, et cetera - your case must be filed on a \$2254 form.)

1. Trial by Jury. 2. Find defendants individually  
and collectively guilty of violating plaintiff's Constitutional  
Rights 3. Award plaintiff Actual and punitive  
damages. 4. Appoint Counsel to Assist plaintiff in  
this Action

VIII. MONEY DAMAGES:

A. Do you claim either actual or punitive monetary damages for the acts alleged in this complaint?

YES ☒

NO ☐

B. If your answer to "A" is YES, state below the amount claimed and the reason or reasons you believe you are entitled to recover such money damages:

One million each defendant Actual and punitive  
for on-going pain and suffering, and violation  
of plaintiff's civil rights.

XI. Do you maintain that the wrongs alleged in the complaint are continuing to occur at the present time?

YES ☒

NO ☐

I declare under penalty of perjury that the foregoing is true and correct. Signed this 24<sup>th</sup> day of April, 2009.

4/24/2009  
Date

Stanley Ballito  
Signature of Plaintiff(s)